

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RICHARD HOLDEN,)	3:05-CV-0138-PMP (RAM)
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	March 8, 2006
)	
CRAIG FARWELL, et al.,)	
)	
Defendants.)	
)	

PRESENT: THE HONORABLE ROBERT A. McQUAID, JR., U.S. MAGISTRATE JUDGE

DEPUTY CLERK: GINA MUGNAINI REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Plaintiff has filed a Motion for Costs Pursuant to Rule 37(a)4(A) (Doc. #34). Plaintiff claims that he was the prevailing party on his Motion to Compel and, as such, is entitled to an award of costs in the sum \$26.10.

A review of the record indicates that Plaintiff was only partially successful on his Motion to Compel and that the Motion was granted in part and denied in part.

Further, it is the opinion of the court that in view of Judge Pro's Order (Doc. #27) and the dismissal of the great majority of the Plaintiff's claims, the Defendants' objections to the requested discovery at the time they were made were substantially justified.

Plaintiff's Motion for Costs Pursuant to Rule 37(a)4(A) (Doc. #34) is **DENIED**.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/ Gina Mugnaini
Deputy Clerk

